



**Eric M. Dessen**  
Assistant General Counsel  
Law Department

January 28, 2014

**VIA FEDERAL EXPRESS**

Brian Carr, Esq.  
Assistant Regional Counsel  
New York/Caribbean Superfund Branch  
Office of Regional Counsel  
U.S. Environmental Protection Agency, Region II  
290 Broadway, 17<sup>th</sup> Floor  
New York, NY 10007-1866

**Re: Supplemental Response of Consolidated Edison Company of New York,  
Inc. to EPA's CERCLA § 104(e) Request for Information in Connection  
with the Gowanus Canal Superfund Site, Brooklyn, New York**

Dear Mr. Carr:

Consolidated Edison Company of New York, Inc. ("Con Edison") supplements its November 16, 2009 responses to Requests Nos. 1 and 2 of EPA's CERCLA § 104(e) Request for Information in connection with the Gowanus Canal Superfund Site as follows:

**Request No. 1**

On January 1, 2014, John McAvoy became the Chief Executive Officer of Con Edison and President and Chief Executive officer of Con Edison, Inc., Con Edison's parent company. To reflect this change, Con Edison revises its responses to Requests Nos. 1.b. and 1.d as follows:

**Supplemental Response to Request 1.b:**

"John McAvoy is the Chief Executive Officer of Con Edison. Craig S. Ivey is the President of Con Edison. Mr. McAvoy's and Mr. Ivey's business address is Con Edison, 4 Irving Place, New York, New York 10003."

**Supplemental Response to Request 1.d.:**

"Con Edison is a wholly-owned subsidiary of Consolidated Edison, Inc. ("CEI"), a New York corporation with its headquarters and principal place of business at 4 Irving Place, New York, New York 10003. CEI was incorporated in 1997. John

McAvoy is the President and Chief Executive Officer of CEI. Process, if any, can be served upon CEI's Corporate Secretary, Carole Sobin, at 4 Irving Place, Room 1618-S, New York, New York 10003."

Supplemental Response to Request No. 2

As part of its continuing search for documents related to the Gowanus Canal Superfund Site, Con Edison has located two 1995 reports that were prepared by Con Edison's contractor, CH2M Hill and submitted to the New York State Department of Environmental Conservation in compliance with the requirements of an Administrative Order on Consent described at pages 10 and 11 of Exhibit B to Con Edison's response. The reports document CH2M Hill's sampling and analysis of sewer discharges from Con Edison's flush truck facilities and the results of its investigation regarding potential sources of the lead and asbestos found in flush truck solids. A copy of the *Sewer Discharge Report* (EPA-CE-Supp.01-00000001 – EPA-CE-Supp.01-00000205) and a copy of the *Underground Structure and Facility Sampling Report* (EPA-CE-Supp.01-00000206 – EPA-CE-Supp.01-00000382) are enclosed on CD-Rom.

\* \* \*

This supplemental response to the Information Request does not constitute, and should not be construed, interpreted or used, as evidence of any admission of fact, law, responsibility, liability or fault, nor as a waiver or release of any right or defense by, nor as an estoppel against, Con Edison under CERCLA or any other federal, state or local statute, or common law. Furthermore, Con Edison expressly reserves any and all rights, defenses, claims, counterclaims, demands and causes of action that it may have against the United States, or against any other person or entity, including without limitation all governmental bodies and all other PRPs for the Gowanus Canal Superfund Site.

Respectfully submitted,

*Eric Dessen*

Eric Dessen

Enclosures

C: Christos Tsiamis EPA Remedial Project Manager New York Remediation Branch